

# QUID NOVI

***Université McGill,  
Faculté de Droit  
Volume 31, no. 11  
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***McGill University,  
Faculty of Law  
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PRESENTING...

**ACTUS  
REUS**

## QUID NOVI

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## Éditorial/Editorial

by Courtney Retter (LAW II)

### It's a Helluva' Time to be a Student

I had the pleasure of bumping into an old friend this week. We did the whole, "What are you up to?" exchange. I learnt that he was pursuing a PhD in Financial History and he learnt that I was contemplating participating in this year's course aux stages. In the midst of our catching up, he cautioned me not to rush into employment too quickly for it was "a helluva' time to be a student." When I asked him to elaborate on his warning, he informed me that a meeting with his advisor had left him grateful for his position as a student: his program had witnessed a 50% increase in applications over the course of a year and he could not help but wonder if he would be in the same position today if he were applying in a more competitive pool.

It is not exactly earth shattering that a recession can have significant effects on the aggregate size and composition of demand for post-secondary education. The economy tends to effect enrollment the most in shorter-course programs (like a two-year master's degree), which can be completed in time for the hiring surge that (hopefully) accompanies an economic recovery. Law schools, how-

*continued on p.20*

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Contributions should preferably be submitted as a .doc attachment (**and not, for instance, a ".docx."**).  
Contributions should also include the **student year** of the contributor.

# Getting the LSA Back on Track

by Charlie Feldman (2nd Year Class Co-President)  
& Natai Shelsen (3rd Year Class Co-President)

The LSA Council is about to reconvene following its lacklustre two meetings last semester. While council might be getting back on the right track in terms of meetings, the LSA executive is another story. Before you go thinking this is just another one of those boring student politics, mud-slinging articles, let's consider a very practical example.

Our bogenda. Where is it? Funds from our LSA fees were dispersed for this student service, but we are yet to see a product. Having asked the LSA exec, we have a story, but it hasn't been communicated to students. The story as we last heard it is that the graphic designers were a partnership that has since dissolved, and neither party wants to give up the product or reimburse their payment. It is the provision of services such as the bogenda that fits squarely within the mandate of the executive; if it's not being done, we deserve to be told why.

Okay, sure. The bogenda involves logistics and expertise that require outsourcing. But sometimes, all you need to do is show up. This past Tuesday, the Judicial Board held its second hearing on the reference questions submitted last semester. (In the interest of full dis-

closure, one of the authors is the person who brought the questions to the Board). Regrettably, no member of the executive made an appearance.

This may not seem remarkable; however, it is worth pointing out that they failed to show at the first J-Board meeting last semester. When this was brought up by the other co-author at the LSA Council Meeting, every member of the exec had a plethora of reasons (some more reasonable than others) explaining their absence, and the President himself promised to attend "the next J-Board meeting".

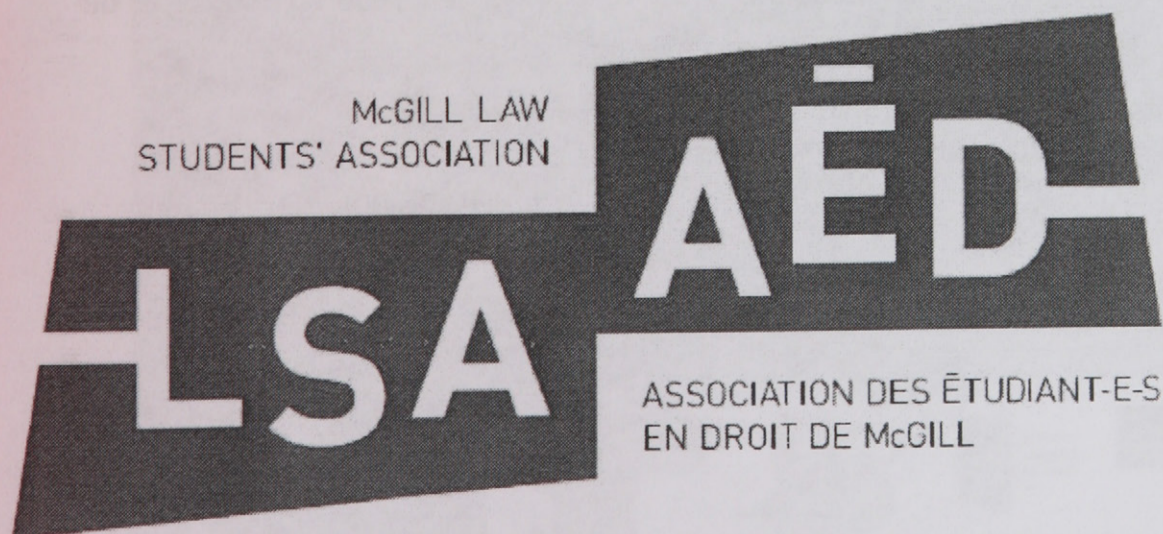
As we understand, the President communicated that he would not be there but that a representative from the Executive would make an appearance. This didn't happen. In theory, if the other side doesn't show up, you should win your case, but, of course, in the reference scenario there aren't clear winners and losers. That said, the J-Board meeting offered the opportunity for dialogue and discussion about the issues. Whether or not it wanted to, the message sent by the Executive's absence was a loud and clear: "we don't care".

Maybe the Executive doesn't think the

issues are important; indeed, apathy is contagious. While we're not going to reiterate what is currently before the Board or attempt to influence in any way its deliberations, we should note that one of the reference items is about how LSA Council did not meet to adopt a preliminary budget before the Constitutionally-mandated deadline. And yet there are issues of budget and expense which need clarification to this day.

For example, the LSA has boasted about money spent on website redevelopment, and yet the website hasn't changed. If someone was paid for this service, why wasn't it rendered? Are we getting our money back? Further, the Welcome Ball this year is listed as an expense totalling \$20,000. This staggering amount is puzzling given statements from past LSA Executive members that the Ball cost around \$8,500. While there are certainly many factors that influence the price (choice of venue, availability of firm sponsorships) it was interesting that one Executive member stated s/he had no way of getting the numbers easily whereas another, the VP-Finance said "I'll have to ask Alex before I can give you that information". Let us be very clear: we're not saying anyone did anything wrong. We don't have all the facts. But, in our quest to get the facts, it is very troubling that the reaction of "I need to ask" before providing what should be readily-accessible information involving expenditure of money from students' fees.

Indeed, if the LSA's platform was one of transparency, openness, and accountability, it seems this dream has not been realized. Some may question the choice of "The Quid" as the forum for airing these grievances, but it is better to raise awareness by getting these issues gets out in the open. Thus far, only one non-Council member has attended a Council meeting (not that we expect you to) and we're assuming you don't sit on the "LSA Council Meetings" page feverishly hitting reset waiting for the latest minutes. That said, it is troubling that we've



had only TWO meetings thus far this academic, when we are constitutionally-bound to have had at least five.

The last Council meeting, by nearly all accounts, was a disaster. Two hours were spent debating a single motion – one to re-instate the JD-LLB committee – and it seems that a fair number of Council members want to address the issue again. Without debating the agenda for Council here, it was interesting to note Alex Shee's comment in the first Quid of the semester that he hoped the Council would create a committee to reform the LSA Constitution as soon as possible. It's worth noting that the reference questions could guide reform, and the current exec's opinion on these questions would be insight. While they still have time to provide a written submission (capped at 4 pages double-spaced per the J-Board's requirement), the exec's presence at the two J-Board meetings could have provided a fuller understanding of the issues. Alex' comment seems to suggest that the Coun-

cil had been stalling efforts by the Executive or was otherwise uncooperative. Obviously, we can't make for lost time (which was the reason behind the initial J-Board complaint) but we can use our future meetings more efficiently. There is a lot of work to be done, and LSA Council meetings must be effective.

Il existe aussi d'autres plaintes qu'on pourrait nommer ici. Il y a des représentants des Clubs qui nous parlent des longues attentes pour les chèques ou du fait que les montants reçus sont inadéquats. Même s'il y a des efforts de l'AED qui sont bons (par exemple, l'article de Catherine Coursol paru la semaine dernière dans le Quid qui énumérait les activités pour la session; les initiatives de Stefan Hoffman par rapport au programme scolaire de la 2e année; le succès des Coffee-houses du mois de janvier). Il y a des soucis, cependant il faut absolument qu'on ait confiance en l'AED en tout temps.

For sure, nobody's perfect and it would not be helpful to single out any executive member here. The point of this article, however, is to give you an idea of the issues that are out there – you elect representatives and pay LSA fees and in turn expect your representatives will act in certain ways and that money is going where it should. Whether the LSA executive will reach its full potential is a question only time can answer. The issues that must be dealt with in the interim are those of representation and accountability. Simply put, it means showing up, being visible, and communicating openly with the student body. Students deserve no less.

## Dean's Welcome – Legal Frontiers

### [www.legalfrontiers.ca](http://www.legalfrontiers.ca)

by Daniel Jutras, Interim Dean



À la faculté de droit de l'Université McGill, le droit s'écrit chaque jour sur une foule de supports : dissertations, courriels, notes de cours, textos, cahiers d'examen, articles scientifiques, conversa-

tions dans les corridors et petits billets manuscrits. Chaque étudiant est un chercheur et un auteur en puissance, tout autant que les professeurs qui font carrière à la faculté.

The Legal Frontiers initiative builds on this extraordinary potential and offers a welcome venue for the otherwise ephemeral scholarship that emerges everyday within our walls. The Faculty salutes with great pride the creation by McGill Law students of a new forum for serious debate on the most pressing issues of the day in international

law and politics. Students at McGill are invited to think about the world around them from a plurality of perspectives, and to imagine legal scholarship as a distinctive and powerful discourse within the humanities. No doubt this blog will highlight the unique insight of these students, and the wisdom that arises from the dialog of cultures, traditions and commitments that they bring to life within their legal education in this Faculty.

J'offre mes félicitations aux étudiants et étudiantes en droit de la faculté de droit de l'Université McGill à l'occasion du lancement de ce blog, qui fera désormais le pont entre la longue tradition d'excellence en droit international à McGill et la voix caractéristique d'une nouvelle génération d'auteurs et de chercheurs.

Daniel Jutras

Doyen par intérim



# Climate Change & International Law Post-Copenhagen

An expert panel discussion

Monday February 1, 2010, from 5h00 to 6h30 PM

McGill Faculty of Law

New Chancellor Day Hall, Maxwell Cohen Moot Court (room 100)

Followed by a Reception and Book Launch in the Atrium

Entry is free to the public

## Panellists:

Ms. Marie Claire Cordonier Segger, Centre for International Sustainable Development Law (Chair)

Dr. Charlotte Streck, Climate Focus

Prof. Markus Gehring, Cambridge University

Prof. Richard Janda, McGill University

Mr. Sébastien Jodoin, Centre for International Sustainable Development Law

Ms. Alexandra Harrington, Centre for International Sustainable Development Law

Mr. Douglas Tingey, Borden Ladner Gervais

Prof. Stephen Scharper, University of Toronto

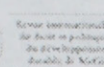
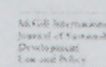
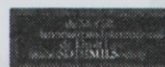


The Copenhagen conference on climate change (COP15), from December 7 to 18 2009, was marked as one of the defining moments of our times in concerted international legal efforts regarding climate change. This Experts Panel discussion will involve leading international legal experts in the field of climate change, all of whom attended the COP15 conference. The focus of the discussion will be the event's international legal implications and their concrete impact on developing and developed countries. Panellists will review the legal results as well as the inside workings of the conference in terms of the environmental impact of climate change, but also with regard to effects in such seminal areas as trade and investment, human rights or health.

The panel discussion will be followed at 6h30PM by a Reception in the Atrium, with a the launch of *Legal Aspects of Carbon Trading: Kyoto, Copenhagen and beyond* by David Freestone & Charlotte Streck as well as the launch of the latest edition of the *International Journal of Sustainable Development Law*.



Environmental Law McGill



www.cisdll.org

For more information, please contact Patrick Reynaud at [preynaud@cisdll.org](mailto:preynaud@cisdll.org)

# DROIT À L'IMAGE

Charlie Feldman (LAW II)



The Quid welcomes reviews of the play *Goodnight Desdemona (Good Morning Juliet)*, which Actus Reus will perform Wednesday through Friday in the Moot Court.

For more information on the play, be sure to check out our VIDEO report! **Yes, the Quid is now doing video reports! Check us out - we swear we're cool!**

Find us on Facebook - search for **Quid Novi - Droit McGill Law** and become a fan aujourd'hui!

## Droit McGill Law Cares 4 Haiti

All this past week, McGill Law students have been generous in giving to Haiti. Through collections and a toonie trail in the Atrium, together we have raised \$1776.77, which will be split between Doctors without Borders and Oxfam.

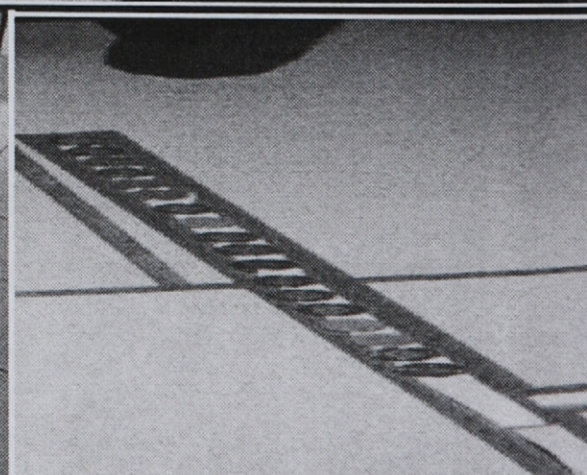
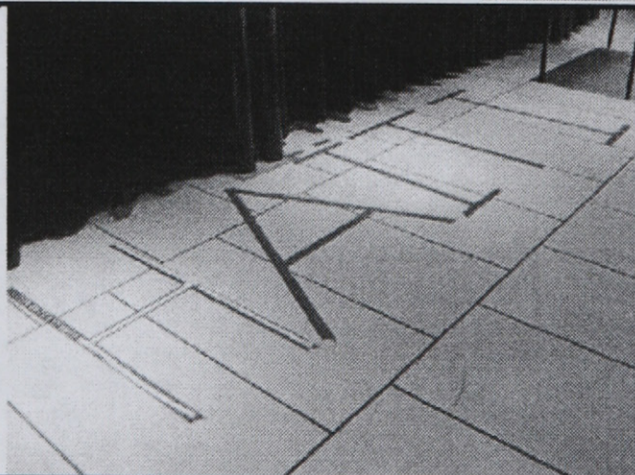
Although short of our goal of \$2500, un professeur très généreux a entendu parler de notre situation et a fait un don de 250 \$, notre total est donc 2026,77\$. This contribution will be matched by the federal government.

*At right: The last coffeehouse beer was auctioned off to a lawyer from Blakes for \$80.*



*At right: The Atrium toonie trail!*

Again, a huge thanks to everyone who participated, whether you gave pennies, toonies bills, Canadian Tire money, and even the few of you who gave Euros and currency from Uruguay!



## QUID EXCLUSIVE:

**Matteo's now carries sushi!**

**Look for it behind the sandwiches!**

**3L: It's not bad!!!**

**Trust the Quid for culinary reviews!**



# DROIT À L'IMAGE

Charlie Feldman (LAW II)

**...Disons...** (Overheard at the Faculty)

*Submissions:*  
quid.charlie@gmail.com

**Prof. Jukier: Defamation is when you go after one person – like Rosalie Jukier – i.e. what Charlie does every week in the Quid.**

Lawyer: "Your Honour, if I could just take 2 minutes to make one final point..."

Judge: "Why don't you take 5 minutes, but after the break, because they have class at 11"

Prof. Piper (during a Star Trek episode shown in property): "Oh! And those two had an affair!"

Prof. Adams: "Why is the chalk missing? Does it have some value on the black market?"

Student: Where is the fairness in that?  
Dedek: What can I tell you? It's a sad world.

[class discussion]

Student: So... then everyone should go to law school?

Dedek: No! That would be an even sadder world.

Student (writing on exam booklet): Those were some tricky questions.

Prof. [Redacted] (writing on exam booklet): HAHA!

Student (to Quid): The "HAHA!" in big, blocky capital letters constituted literally 50% of the feedback I got on my final.

Prof. Klinck: Have any of you read "Finnegan's Way"?

Class: No

Prof. Klinck: Neither have I.

Prof. Klinck: "The saucy interloper got the fox"

(Droit à l'image would like to apologize for the lack of Klinck quotes from this week due to a J-Board meeting on Tuesday and what is now

known as 'Fiasco Thursday'. In that regard, Droit à l'image would like to publicly thank TC from the SAO for his excellent employ of a lock cutter.)

Prof. Sklar: "If I made you guys responsible for knowing what's in all the editor's notes I'd be violating the 8th amendment.. you know, cruel and unusual punishment"

Prof. Jukier: "And I'm thinking... God, how many tests are you going to give me this week? I'm not Job!"

Prof. Jukier: "I'm hoping when I wake up tomorrow it's not like Groundhog Day..."

Prof. Jukier: "That's why it's good to be a class action lawyer - because 30% of a lot is a LOT!"

Prof. Sklar: "The judgement of the majority doesn't help us understand anything, so we'll skip it"

Prof. Klein: "It was on the corner of Victoria and Van Horne... I remember it because I used to transfer there from the Victoria bus to the Van Horne bus, oh, and the drug store there was owned by the father of my friend in middle school, although now it's a Starbucks - - wow, I didn't think I'd get nostalgic giving my hypothetical...". Later: ""My friend was a chocolate bar thief... she's since gotten over it..."

Prof. Klein: "Why wouldn't we be able to provide evidence that the person is the best World of Warcraft player? (Class laughs) No, seriously, there are law review articles... type 'World of Warcraft' in to Lexis."

Prof. [Redacted]: "The result of the election in Massachusetts was a disaster, beyond just the symbolism of it being Sen. Kennedy's seat"

Prof. [Redacted]: "It's so simple, even a judge appointed by the Conservatives could understand it"

2L: B- is the new A-, that's how I think of it.

2L: Course aux stage? More like cage aux folles – I'm not doing that

3L: One semester left! One semester left!!

2L: Waiting for those grades was more stressful than waiting for the 'pee-on-a-stick' results

1L: I'm so confused – some upper years say we shouldn't worry about grades, but then some say we do – how bad about myself am I supposed to be feeling?

3L: I'm glad that class is over – that whole 'basket course' thing just makes me want to beat someone over the head with a basket – an iron basket!

1L: Where is the inner morality of marking?!

2L: If this Faculty were more like the animal kingdom and we were both praying mantises, I would NOT mate with him but I'd still eat him anyway!

2L: Let's just make this semester like Parliament and prorogue it.

(and now, the Quid's FAVOURITE submission ever): Overheard in the bathroom:

?L: UN BREAK MY HEARTTTTT

It seems *some of you wanted to reply to the 3L who wanted to use the Quid as a dating service:*

1L: A single 3L... is she cute? Wait, is she my TL?!

2L: Yo, I'm single too, why don't you do some match-making in the Quid?

2L: I don't know who that desperate person was in the Quid but tell them vibrators are CHEAPPPPP!!!!

# DROIT À L'IMAGE FacFire 2010

Charlie Feldman (LAW II)

*thought I was stuck in the elevator again*

*Dalia: I was in the SAO*

*Jerry: I was in my office.*

*Matteo: I wasn't here.*

As Business Associations, Criminal Law, Droit judiciaire, and International Business Law were meeting, the fire alarm went off. According to a fire official with whom the Quid obtained an interview, the fire was caused by dust from construction work getting into a fire sensor, making it believe it was filled with smoke.

## (QUID – NCDH BUREAU)

On January 20, 2010 the fire alarm woke many students asleep in lecture and sent the Faculty scrambling to the nearest exit. While the date of January 20th is synonymous with the inauguration of the President of the United States, 1-20-10 will live in infamy because of FacFire 2010.

## WHERE WERE YOU?? – Faculty & Staff

*Prof. Crépeau – I heard the alarm when I was in my office, I grabbed a book to read and left. I then ran into my colleagues so the book proved unnecessary.*

*Prof. Leckey – I was listening to a voicemail and they told me I had to leave, but I really wanted to hear the end of that voicemail!*

*Prof. Jukier – I was at the gym working off tension, so I wasn't actually at the Faculty*

*Prof. Dedek – I was in my office, you know, the mansion up the hill*

*Prof. [Redacted] – I wasn't here, but my daughter called me when she saw the firetrucks because she*



## WHERE WERE YOU?? – Students

*M. Sager: I was in the library studying for the Barreau.*

*1L: I was downstairs playing fooseball.*

*2L: I was woken up in lecture – damn that thing is loud, I should sue.*

*3L: I was in JICP and I really hope they schedule a make-up session for all that time we lost.*

After about ten minutes in the cold, students returned to class and the firetrucks left the scene. The Quid has confirmed that the Dean was not on campus at the time and was never in danger.

## WHAT DID YOU DO WHILE OUTSIDE?!

*Prof: I talked to some of my students.*

*3L: I thanked God I was safe*

*3L: I did the reading I was supposed to have done*

*2L: I went to Subway*

# DROIT À L'IMAGE

Charlie Feldman (LAW II)



the start of the alarm people were leaving the building at a leisurely pace. New rule: grab your laptop and go - the plug can be replaced. Neatly packing your possessions takes valuable time away from your exit. Lastly, (and we were asked to put this in): the stairwell by 101 has an exit to the outside which it seems no students were using. Students instead entered the hallway by the Moot Court only to turn right and exit.... just a friendly reminder to use all exits, even ones you are not used to using (i.e. glass doors at the end of the atrium) when forced to evacuate.

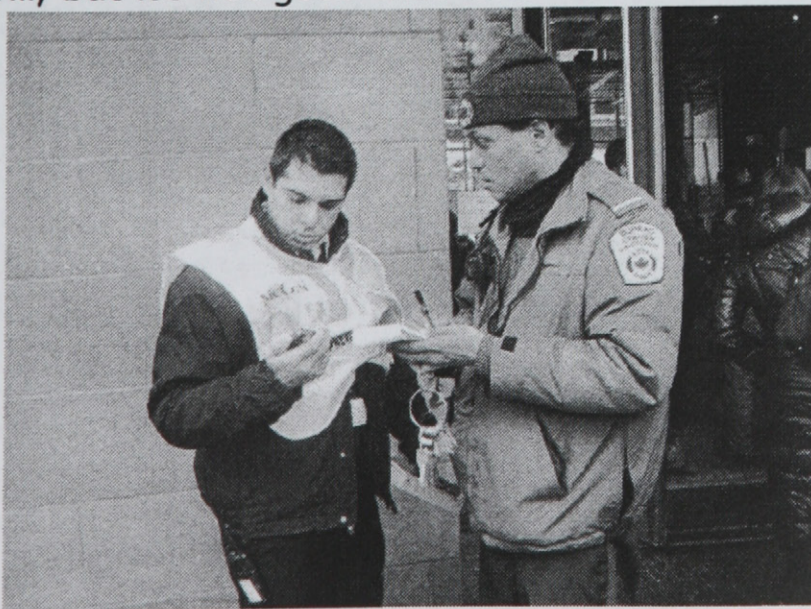
2L: I froze – I didn't have my jacket!

1L: I went home – decided the day was a write-off

The Quid is proud to have broken the story on Facebook and is the only source – Canadian or international – to provide in-depth coverage of Fac-Fire 2010.

\*\*\*On a serious note\*\*\*

There are a few things that need to be said about this whole incident that the Quid doesn't want to overlook. First, always evacuate. The Quid was surprised to learn from officials that several students were found 'hiding out' downstairs – why would you do that?! Further, there were people in a conference room on the 3rd floor who (reportedly) refused repeated requests to leave – (who does that?!). Yes, nobody likes to be outside in the cold, and nobody wants to move when they think it's a drill, but it's not good that even 10 minutes after



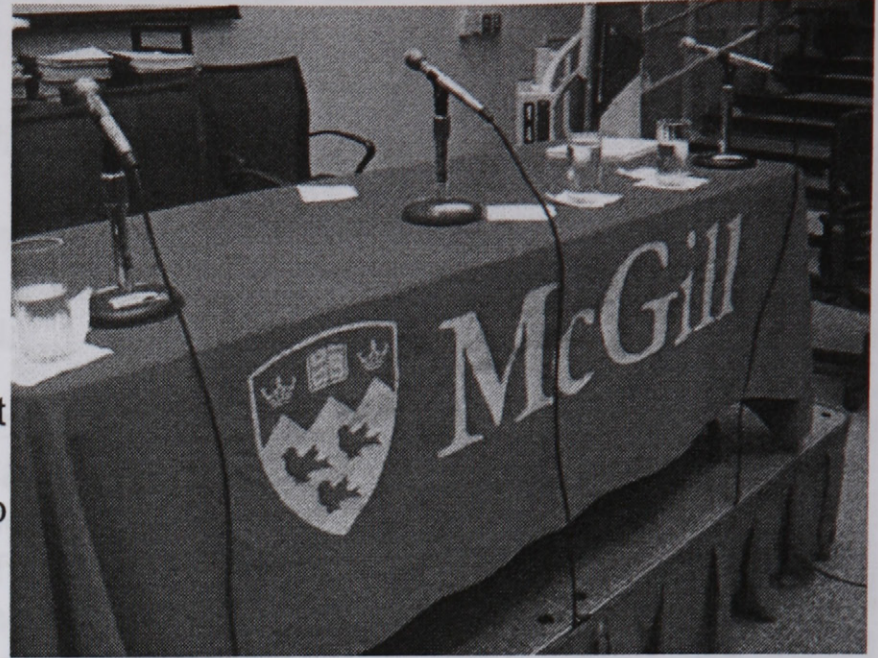
# DROIT A L'IMAGE

Charlie Feldman (LAW II)



**Québec  
Court  
of Appeal  
Visit!**

On Friday,  
January  
22nd, the  
Moot Court  
trans-  
formed into  
the Court  
of Appeal!



## The Quid interview - Me. Lamed

### **How did this come about?**

Largely through the good offices of Mr. Justice Allan Hilton, who was sitting on the bench on Friday. We organized a hearing of the Court of Appeal two years ago, and decided to repeat the very positive experience. We had worked out the logistics last time, so his big job was to find an interesting case, not too long, and preferably fact-driven, which he did.

### **What did you hope to achieve through this visit?**

To establish a "real life" connection between the Court of Appeal and the students. We read many CA cases, but without much idea of the process that leads to the judgment. What the students did not see, of course, was the preparation that the judges had put into the case - they had read the facts and knew the key points on which the appeal turned.

### **Would you consider the visit a success?**

I think it was - I am not only referring to bums on seats (and the turn-out was amazing) but in terms of the attention the students gave to the proceedings. From my perch in the back, I felt a real "chemistry" between the bench, the pleaders and the students, and for me, that was the success.

### **Do you think it will happen again next year?**

No, probably not next year, but perhaps the year after.

### **Even though the experience is geared towards students, do you learn from it as well?**

Absolutely. I learn from every case I read or hear. The hearing also reminded me what it is like to plead, how thoroughly you have to know every inch of your case. It also emphasized how important are the facts in a case, which we tend to downplay because we are so intent on teaching the law.

### **Any other comments?**

Thank you to the students for showing such interest and respect for the decorum of the Court, and to Eric van Eyken for all his work in putting the technical pieces together!

\*\*\*\*\*

*The Quid spoke to the Justices, all of whom said they had a delightful time and would gladly come back if invited. All students with whom the Quid spoke gave glowing reviews of the experience.*

# H(aiti's)I(ncredible)STORY

by Anthony Morgan (Law II)

Pat Robertson and others have suggested that Haiti has suffered since its 1804 independence to present, because it is cursed. Others have pointed to a string of corrupt leaders as the ones responsible for keeping Haiti from advancing sufficiently to shake the dubious distinction of being the "poorest country in the Western Hemisphere". Haitian communism and other ridiculous things have also been cited amongst a slew of explanations used to ultimately suggest that Haiti is a failed state because of its own devices.

It would be absolutely wrong, absurd and offensive to disregard the agency of Haitians and claim that they have played no part in creating a situation where, before the quake, 80% of the population was living under the poverty line and 54% of its people lived in abject poverty.

However, there is a long and relatively unknown history of deliberate subjugation of Haiti by governmental and corporate leaders whose actions and inaction have resulted in the effects of the recent earthquake being exponentially greater than they ever should have been. Thus, in the wake of the recent earthquake, I am writing this article so that you may see that Haiti, rather than just being a victim of a tragic and inexplicable act of God, is a

victim of a succession of non-Haitian capitalists and racists who were adamant on ensuring that a republic governed fully and freely by former Black slaves could never emerge to show the world that Blacks can successfully govern their own affairs.

In what is now known as the Haitian Revolution, by declaring their independence from France on January 1st, 1804, Haiti's people completed the world's only successful slave rebellion against European and North American slaveholders. This monumental victory came after a 13 year war that saw slaves led by Toussaint L'Ouverture and Jean-Jacques Dessalines out-smart and out-fight Spanish, Dutch and British forces and finally crush Napoleon's own revered French army, thus allowing Haiti to emerge as the world's first (and at that time the only) Black Republic.

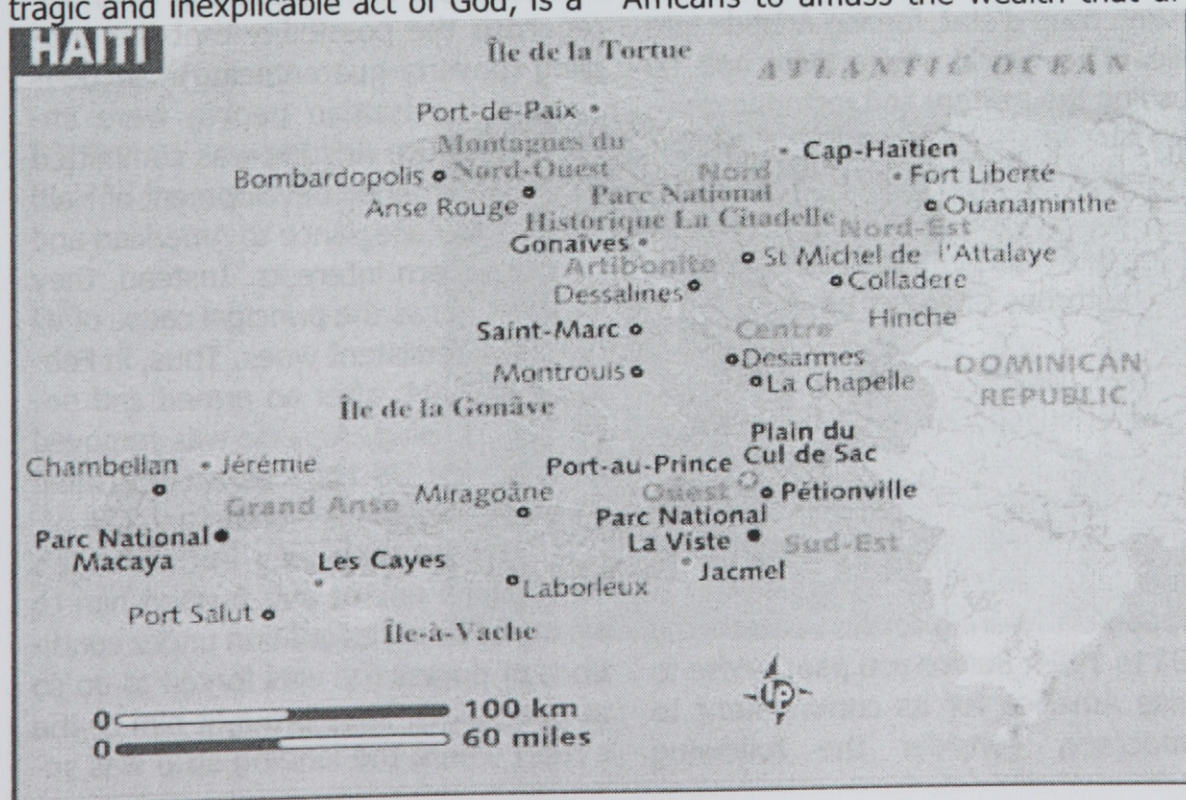
As a contextual note, before the revolution Haiti was the crown of the Caribbean as it was the richest colony of all of Europe's holdings at the time. This is largely because it produced 80% of the world's sugar. It is also important to note that this was at a time when the Trans-Atlantic Slave Trade was a major source of economic gain for North American and European powers. These powers used the un-free labour of Africans to amass the wealth that al-

lowed these regions to enjoy otherwise unimaginable luxury and leisure and which would later drive the West's Industrial Revolution (also built on the backs of Blacks, through the use of exploited Africans who, in Africa, extracted the natural resources used to build Western cities, factories and the products of the Industrial Revolution). Thus, when the slaves of Haiti began to rise up, Western powers deployed their fullest possible efforts to quash this freedom movement. They did this in order to protect the immense profits gained from the trade of Black human beings.

Europe and North America's fear of Haiti's freedom fight was rooted in not only the prospect of losing the world's richest colony, but also the prospect of the collapse of the entire slave-trade. They worried that the latter would result if enslaved Africans learned about the existence of a successful slave rebellion that culminated in the emergence of a state outside of Africa, ruled by free Africans.

In the end, the Africans of Haiti triumphed. However, while they celebrated jubilantly, the dark-hearted of Europe and North America began a global campaign of retribution and damage control. To prevent the still-enslaved from being inspired into rebellion and ultimately debilitating the West's deplorable trade, they decided to respond with a full (though unofficial) embargo against Haiti. The aim and effect was to starve the country into total economic atrophy. This, of course, resulted in mass suffering and literal starvation of Haiti's people and allowed the West's slaveholders to portray Haiti as an example (especially to those still enslaved) of why slaves should accept their position within this inhumane institution. To justify this embargo, all Western powers decided to refuse to acknowledge Haiti as a legitimate state.

By 1825, Haiti's leaders had decided that the people of Haiti could no longer suffer the effects of global economic



isolation. With a bankrupt economy, they invited officials from France to a summit. As if the Haitian people had not paid enough by being stolen from Africa and enslaved to make European descendants wealthy, or through the bloodshed to defeat European armies and gain independence, the French officials decided that they would only recognize Haiti as a sovereign state if Haiti paid France 150 million gold francs. This, they said, was the value of what France's slave-holders lost when Haiti gained its independence. Hoping to end Haiti's global economic and political isolation, repayment instalments equal to 90% of the Haitian economy began immediately and did not finish until 1947 when the last franc was paid. In a campaign launched at the 2001 UN Conference on Race in Durban, South Africa, it was shown by financial actuaries that 150 million gold francs in 1825 was equivalent to US\$ 21 billion in 2001.

Though Europe and North America slowly began to recognize and open up trade and commerce with Haiti, they could not stomach exchanging with and regarding Blacks as their equal business and political counterparts. Thus, the Haitian economy remained severely strained to the point that by the late 19th century and into the early 20th century, Haiti was falling short on its repayments to France. To keep Haiti paying the promised instalments, French officials encouraged American bankers to step in. City Bank responded and eventually offered Haiti a debt exchange with a lower interest rate and longer-term debt.

Despite the "better" terms of repayment offered by City Bank, Haiti still struggled to pay the exorbitant sums. Payments slowed to such a level that the US invaded Haiti in 1915 to protect France's financial interests. As a pretext, the US claimed this invasion was necessary for strategic military purposes given that they, Canada and other savage leaders of Europe were in the midst of a "Great" War. That war ended in 1919, but the US occupation of Haiti ended only in 1934.

After having helped crush the ghastly lunatic who wholly embodied the very

same evil that Europe and later North America globally projected against non-whites since the 1440s, the US' concern with Haiti remained minimal as the world became suspended in a Cold War. Somehow, in 1957 a vile dictator, François Duvalier, who also happened to be violently anti-communist, took power and ruled with utter brutality. When he died in 1971 he was succeeded by his son Jean-Claude who, while allowing American manufacturing companies to thrive in Haiti (and collecting funds to keep for himself and a few privileged Haitian elites), further plundered, ravaged and deprived the Haitian people until mass protests and civil resistance forced him into exile in 1986. He was hustled off to France in an American Air Force aircraft...

With the Duvaliers gone, and the threat of communism looming, the US allowed for the organization of Haiti's first ever democratic elections. The US however strongly backed a pro-American candidate in the race. To their dismay, a socialist Catholic priest surprised the world and won the election. He was shockingly and openly undifferentiated to the capitalistic demands, interests and leaders of the US and other Western powers. His name was Jean-Bertrand Aristide. This was indeed a triumphant event.

However, before Aristide could begin changing Haiti's historical tide of destitution with socialist reforms, in 1991, the Haitian army completed an Aristide-ousting coup d'état, forcing Aristide into exile. The world responded not by crushing the military and restoring democratic rule, but by imposing heavy-handed sanctions on Haiti to punish the new military leaders. This effectively pulverized Haitian people even further into the throes of abject poverty.

However, with a resilience that is so characteristically Haitian, Aristide was returned to power with the help of the US military in 1994 so that he could finish his term. He was harrowingly welcomed as populous masses never stopped clamouring for his return from 1991 to 1994. Before you pause here to praise America for its commitment to democracy, consider the following

words once offered by one formerly-known as Malcolm Little, "You can't drive a knife into a man's back nine inches, pull it out six inches, and call it progress."

Anyway, maintaining his political position even after being returned to power in 1994, Aristide was intransigently determined to push the social reforms that he thought were absolutely necessary to loosen poverty's grip on the lives of Haitians. This caused him to take allegedly unconstitutional and allegedly illegal actions to stay in power and bring his social-welfare reforms to fruition. Not only did he try to carry out this mission but he did so while maintaining his open opposition to prioritizing American prescriptions for Haitian democracy and economic planning over the well-being of Haitian people. The US was effectively seeing what they feared was a second Castro in the Caribbean. The US, and all the states and organizations in the international community responded to Aristide's defiance by further strengthening their stranglehold on the Haitian people through imposing yet heavier sanctions on Haiti for the next 10 years.

By 2004, though Aristide maintained widespread support, and still does so to this day, similarly large groups in Haiti (some of which were supported with arms and training supplied by the US) felt that Aristide had to be stopped and thus another coup against Aristide was orchestrated. Many people in Haiti disregarded the possibility that the crippling (poverty-guaranteeing) sanctions against the Haitian people were imposed because Aristide was committed to self-determined development of Haiti without any allegiance to American and other western interests. Instead, they saw Aristide as the principal cause of all of Haiti's persistent woes. Thus, in February of 2004, after an armed and police-led uprising, Aristide was removed from power. US Marines accompanied by US diplomat Luis Moreno and CIA officials forced their way into Aristide's presidential palace and pushed him to sign a letter of resignation under conditions of duress (he was forced to do so at gun point). They brought him to the airport where the landing strip was se-

cured by 550 members of the Canadian military and flew Aristide to the former French colony, the Central African Republic. Aristide later settled in South Africa and remains there today.

After the second coup toppling Aristide, his government was replaced with a more pro-American government that was backed by UN troops and which had remained until many were tragically killed, maimed and/or injured when the Jan 12th 2010 earthquake hit (did I mention that Aristide is still alive in South Africa?). Anyway, with the pro-US Haitian government and the UN's MINUSTAH forces running Haiti from 2004 to January 2010, the situation in Haiti improved with such rapidity and promise that by August 2009, many travel warnings against Haiti had been lifted. Ironically, at that same time the man who once signed the documents which imposed some of the most stringent economic sanctions against Haiti, Bill Clinton (the new UN special envoy to Haiti), was leading a delegation of investors to Haiti in order to begin a program of massive foreign investment into Haiti's agriculture, construction, textiles and energy sectors. Indeed, with Clinton and exorbitantly wealthy business leaders deepening their interests in Haiti, it looked like fate was finally about to turn around for this tragic country...

Two hundred and six years and eleven days after independence, a 7.0 magni-

tude earthquake took only moments to totally obliterate whatever Haitians were able to erect in spite of a history of facing the most astronomical conditions of Western state and corporate sponsored racism coupled with armed and economic terrorism.

There is now disaster porn plastered on TV, the internet and in print covering the devastation suffered by our brothers and sisters in Haiti. Lest we allow history to repeat itself, I warn you, do not think that these hundreds of thousands of people were killed, trapped under ruins and/or injured because natural forces caused tectonic plates to touch some kilometres under Haitian soil. Instead, remember that what we have come to know as "Haiti" would have never existed but for the cold souls that stole African bodies (ripping away their mother tongues and histories, though not their fighting spirit), forced them to work on that island and barred them from being able to leave through enacting against them a two hundred year war of racist-inspired acts of economic suffocation.

Yes, it is a collective of history, politics, economics and racism that crushed the heads of Haitians, long before its geology ever did. Geology did not deliberately leave Haiti too poor to build structurally sound buildings, dwellings and infrastructure. Nor did it starve Haitians of the resources needed to produce and maintain a healthcare, ed-

ucation and social system to protect the well-being of its people.

In responding to this disaster, I implore you to give your monetary, food and clothing donations until you have nothing else to reasonably give. However, do so remembering that such is just another instance of your government and mega corporations taking advantage of you and making you pay for the sins of its own actions. Take particular notice of the fact that, it is these sins that have allowed you to amass wealth and consume with such a degree of excess that you now have all that loose change and those canned goods and unused clothing to give back to Haiti. Know that you are returning to Haiti a paramecium-sized fraction of what has been due to Haitian people long before the state of Canada ever existed.

By: Anthony Morgan

*This is the author's own personal account, assembly and presentation of facts. None of the above represents the opinion, thoughts, ideas or interests of the members or affiliates of the Black Law Students' Association of Canada.*



# McGill Law Journal

## Revue de droit de McGill

CONFÉRENCE ANNUELLE DE LA REVUE DE DROIT DE MCGILL

"INTERNATIONAL LAW AND HUMAN RIGHTS: THE POWER AND THE PITY"

SUPREME COURT JUSTICE ROSALIE ABELLA

MARDI LE 26 JANVIER 2010

18H00

SALLE TRIBUNAL ÉCOLE MAXWELL COHEN DU NOUVEAU PAVILLON CHANCELLOR DAY

La Revue de droit de McGill est fière de recevoir l'honorable Rosalie Silberman Abella de la Cour suprême du Canada pour sa Conférence annuelle. Sa présentation intitulée « Le droit international et les droits de la personne : le pouvoir et la pitié » aura lieu le mardi 26 janvier 2010 à 18h dans la salle tribunal école Maxwell Cohen (salle 100) du Nouveau Pavillon Chancellor Day de la Faculté de droit de McGill.

Every year, the McGill Law Journal invites a distinguished speaker to deliver a scholarly address of significant contemporary interest to members of the McGill community, the Bar, the judiciary and the general public. This annual event has attracted notable speakers in years past, including members of the judiciary, dignitaries, and legal scholars of international repute. This year, we have the privilege of welcoming a particularly prominent figure in Canada's legal community.

Justice Abella is considered one of Canada's foremost experts in human rights law, and has also been a chair of the Ontario Labour Relations Board and the Ontario Law Reform Commission, as well as a board member of the Ontario Human Rights Commission. Furthermore, she chaired the Ontario Study into Access to Legal Services by the Disabled. While also chair of the Law Reform Commission, she taught law at McGill University. She has been the recipient of 27 honorary degrees.

La conférence sera suivie d'une réception dans l'Atrium, généreusement commanditée par Osler Hoskin & Harcourt S.E.N.C.R.L./s.r.l. La Conférence annuelle de 2010 est aussi commanditée par l'Association des étudiants de l'Université McGill et le décanat à la vie étudiante.

A high turnout is expected at the event so we advise students to arrive early!

Sincerely,  
The McGill Law Journal

# A Conference That Is Good For Your Health

by Daniel Masliyah, (LAW I)

Reporting from the metaphorical trenches at the McGill Journal of Law and Health (MJLH), I can say that it has been a busy year for us. On the publication front, we recently revamped our website, launched a health law blog (<http://mjlh.mcgill.ca/blog.php>) and are moving forward with the editorial process for our fourth volume. But the MJLH's commitment to the burgeoning field of law and health extends beyond publications. One of our ongoing activities is the McGill Student Colloquium on Health and Law, a joint effort with the McGill Journal of Medicine.

The topic of this year's colloquium is "Global Health and Innovation." The choice of subject is both timely, given the controversy over the production of H1N1 vaccine, and of enduring importance as access to essential medicines and patent reform remain controversial issues in many regions.

A number of distinguished speakers will be present at the colloquium. The MJLH was fortunate to recruit Dr. Nick Drager,

the former Director of the Department of Ethics, Trade, Human Rights and Health Law at the World Health Organization, Ms. Rachel Kiddell-Monroe, the President of Universities Allied for Essential Medicines, Mr. Richard Elliott, the Executive Director of the Canadian HIV/AIDS Legal Network, Dr. Tim Brewer, the Director of Global Health Programs, and from our own faculty Richard Gold, who is also the President of The Innovation Partnership. And this is just half of our line-up.

They will address a wide-range of topics including health-governance, global health, IP and McGill's role in the advancement of medical science. Later in the afternoon, a panel of experts will consider the role of universities in global medical research. They will seek to address how institutions of higher education can harness their knowledge to improve global health and put in place mechanisms in pursuit of this goal.

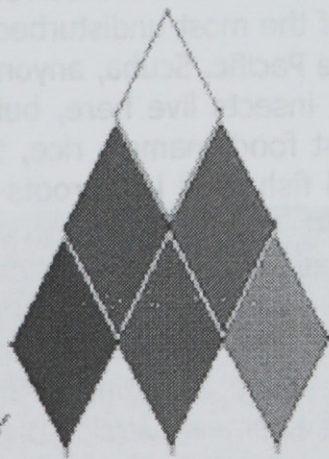
The colloquium format, of course, is about more than simply listening to

speakers. Small group discussions are integrated into the colloquium schedule to encourage lively and engaging debates with some of the speakers and student researchers in the field. Moderators for the small group discussion include such luminaries as Mr. Richard Elliot, the Executive Director of the HIV/AIDS Legal Network. This will give participants the opportunity to interact with leading figures in the field of health law in a small-group setting.

And where would a colloquium be without food? Registration includes breakfast, lunch, snacks and a closing wine & cheese.

The colloquium will be held on Saturday, February 6<sup>th</sup> from 10:00 am to 7:00 pm (breakfast and registration open at 9:30) in the McIntyre Medical Building (it's the cylindrical building even further up the hill than us). Student price is 12\$ in advance or 15\$ at the door and includes, food and drink. Feed your stomach and mind : register at [www.healthandlaw.ca](http://www.healthandlaw.ca).

McGILL  
STUDENT COLLOQUIUM ON  
**HEALTH  
& LAW**  
*Connecting ideas*



COLLOQUE ÉTUDIANT SUR LA  
**SANTÉ** ET LE  
**DROIT**  
DE MCGILL  
*Vers l'alliance des idées*

# Gotta Getaway's

by Chase Barlet (LAW I)

With reading week just a month away, many might be plotting their escape. By late January, winter has frankly bored many people to frozen tears, and they're ready to emerge from their underground burrows and simply tan. Others may feel inspired by fall semester grades to consider getting a new start with a new career. Whether you're looking for a week-long break or a permanent relocation in disguise, I present a few far-off locales that promise to offer relaxation, seclusion, and – if nothing else – anonymity. Many thanks to Google Maps and Wikipedia.

1) Escape the bustle of the big cities and take some space in **South Georgia**. Snarling traffic is rarely a problem in Grytviken, the capital city boasting a modest population of 20 people. The transition for most should prove relatively pleasant. As a British Overseas Territory, English is the official language and if you have any GBP lying around, you can simply bring them with you. Mental agony and stress rates are low as the island's chief sources of income include fishing and the sale of postage stamps. Supplies can be shipped from the Falkland Islands a few thousand kilometers away at disagreeable rates when the harbour is not ice-packed. While many suggest the territory is "bleak, remote and inhospitable," winter temperatures are comfortably higher than in Montreal, despite the proximity to Antarctica.

2) If ice-capped peaks aren't your thing, consider instead **Tokelau**. Halfway between Hawaii and New Zealand, this non-self-governing New Zealand territory is home to 1,500 people on the rings of three coral atolls in the South Pacific. Given the laid-back demeanor of the islands, you will have plenty of time to learn Tokelauan, but until then, English suffices. A preference for fish and coconut is highly recommended, and temperatures can be described as "happy." A liking for pets is also necessary, as most households do own five or more pigs. Be advised that both Chris-

tianity and marriage are useful qualities to possess for fitting in quickly. Note, however, that as the highest elevation is just 2 meters, the islands are susceptible to global warming, which may increase your stress. Hurry before these gems sink into the sea (again).

3) Si vous avez envie d'être un ermite tout seul, vous êtes le bienvenu en **L'île de la Navasse**. Personne n'habite ici. Les États-Unis gouvernent la Navasse, mais l'île est aussi revendiquée par Haïti, qui n'est plus qu'à 35 kilomètres à l'est. Pour parler franchement, il se peut que vous ne soyez pas capable d'accoster l'île, mais si vous réussissez, vous serez probablement laissé en paix. Les falaises raides de ce récif de corail tombent directement dans la mer, donc la plupart de visiteurs potentiels seront dissuadés de vous rendre visite. C'est ainsi utile être autonome, car il n'y a pas de services de base. Encore une fois, un goût pour les poissons est bien conseillé. En Navvasee, faites comme si vous êtes un naufragé(e) dans le phare abandonné ! Quel plaisir !

4) Perhaps, though, you're looking for an escape that offers some of the more sophisticated luxuries of modern life including an airport, air conditioning, and even a stoplight. Take a long hard look at **Kosrae**. One of the four states of Micronesia and with a population of more than 7,000 people, Kosrae's largely undeveloped rainforests are surrounded by some of the most undisturbed coral reefs in the Pacific. Scuba, anyone? No pollinating insects live here, but residents insist food –namely rice, tinned meats and fish, and local roots– is "a central part of island life." For the monolingually-squeamish, however, note that "in an instance where the Kosraean and English versions of the Constitution are held to be in irresolvable conflict, the Kosraean version prevails." Bring your ever-weakening U.S. dollars with you.

5) Très très lointain, dites « au revoir » à la pagaille de l'interaction sociale en

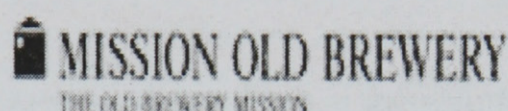
**Île Amsterdam**, un refuge serein située dans le sud de l'océan Indien. L'isolement et l'éloignement de toute activité humaine sont les normes sur ce protectorat de la France. Avec un climat océanique tempéré, amusez-vous bien sans neige ni gelée où il ne fait pas trop chaud ni trop froid, et vous pouvez profiter au brise de mer légère constant. Les seuls habitants sont environ 60 scientifiques qui font des recherches sur la faune, la flore, l'atmosphère, et le temps d'île. Quels sujets passionnants ! Vos capacités juridiques ne seront pas requises, donc oubliez-les avant d'arriver. Ayez conscience du volcan sur l'île qui est « possiblement en activité ».

6) And finally, for the more realistic travelers, consider **Fraser Island**. Located off the coast of Australia near the Great Barrier Reef, this charming island is home to some 360 people, including 11 indigenous people. Hike Boomerang Hill or swim on Rainbow Beach as you off-road your way across the dunes. The island boasts all of the necessary and mundane requirements to sustain yuppies on vacation. Leave your toiletries at home, as you can shower and exfoliate and even brush your teeth with the pure silica sand at Lake McKenzie and sunscreen and soap are the island's major environmental annoyances. Transportation is centered around the 120 km long beach, which can be used as a highway, jogging path, and runway – though perhaps not all at the same time in the same place. Dingoes are plentiful, but you will have to negotiate their adoption.



## Introducing the Local Poverty Prevention Portfolio (LPPP)

The **Local Poverty Prevention Portfolio (LPPP)** – a division of the **Human Rights Working Group (HRWG)** - is making its formal debut at the faculty. We have many exciting events planned for this semester that will enable students and staff to get involved in combating poverty and homelessness in our community.



### **FOOD DRIVE (February 1<sup>st</sup> - 12<sup>th</sup>):**

Our first event is a **Food Drive** that will benefit the *Old Brewery Mission*. Founded in 1889, the *Old Brewery Mission* provides homeless Montreal adults with meals, overnight shelter, transitional residence, clothing and services in an atmosphere of care and respect. For more information on this organization, visit: <http://www.oldbrewerymission.ca/>.

From **February 1<sup>st</sup> -12<sup>th</sup>**, LPPP will be setting up boxes in strategic locations around the faculty (the LSA Office, the Library, the SAO, and the Atrium), and will be asking students and staff to donate non-perishable food (ex. pasta, canned vegetables) and personal care items (ex. socks, underwear, toiletries). We will also be setting up a table in the atrium during “universal break” (12h30-14h30) on **February 3<sup>rd</sup>** and **February 10<sup>th</sup>**. We invite you all to stop by and make a donation, or simply learn more about our program. Cash donations will also be accepted.

We thank you in advance for your generosity and look forward to working with you in our on-going efforts to assist those in need in our community.

For more information on this event or on the LPPP, please contact Melanie Benard ([melanie.benard@mail.mcgill.ca](mailto:melanie.benard@mail.mcgill.ca)).



**THE OLD BREWERY MISSION  
MISSION OLD BREWERY**

**Soothing Homelessness | Solving Homelessness  
Soulager l'itinérance | Solutionner l'itinérance**

## Judicial Board Timeline

The timeline for submission are as follows:

Deadline for written submission: February 5, 2010, 11:59 pm

4 pages double spaced

Email to [mcgill.jboard@gmail.com](mailto:mcgill.jboard@gmail.com)

The Judicial Board of the LSA invites your contributions in answering the following reference questions submitted last semester:

- 1) Is it the duty of the CRO to set an election date that allows the LSA Council to meet its exigencies per Constitution, or, apart from the formal requirements indicated does the CRO have complete discretion in this regard?
- 2) a. May items for which the Constitution specifies a date (such as election of LSA Speaker by October 15th, adoption of the preliminary budget by Oct 30th) occur after these dates? May they be challenged for failing to comply with the Constitution? Or, will they be valid in an instance such as ours where Council has failed to meet?  
b. When a date is specified by the Constitution, are the actions required to occur before that date legitimate if preformed after that date? Are there circumstances in which noncompliance is acceptable?
- 3) Acting under V-15, is it acceptable for the Executive to undertake any actions that Article IV-17 suggests may be reserved for Council?
- 4) a. Can LSA Council meet prior to the election of first-year class presidents and faculty council?  
b. If yes, who sits? (I.e. does V-15 preclude elected class presidents and the law senator from convening with the Executive in the form of the Legislative)?  
c. If yes, may the Council vote? May it adopt its own budget or must the full Council – including first-year presidents and faculty council members – be reserved the right to vote on this as IV-17 appears to indicate?  
d. If no, and there are no meetings occurring that include those persons elected for the academic year, how might the full Council convene to fulfill its responsibilities?

Annamaria Enenajor, Brett Hodgins, Jessica Syms  
2009-2010, LSA Judicial Board

# Not Rocket Surgery

by Michael Shortt (LAW I)

My topic for this column was originally supposed to be "Lecture Series at McGill," but after doing a little research I realized that McGill's coolest lectures are all front-loaded during the fall semester. Despite scouring the McGill website, I was left with only one lecture series (which, to be fair, is still pretty awesome), so I've broadened my topic to: "Event Series at McGill in General," which, conveniently, allows me to include the Post-Graduate Student Society (PGSS)'s upcoming "Love and Sex Week."

1) Freaky Fridays: Not to be confused with Love and Sex Week (below), the Freaky Friday lectures present science pros talking about pop culture, science and the paranormal. Last year's topics included "Colonizing Venus Using Floating Cities," a talk delivered by a NASA researcher/science-fiction writer, and this year continues in the extraterrestrial theme. Lectures on January 29th, February 12th and February 26th cover the UFO phenomena and are followed by screenings of UFO films like *Contact* and *Close Encounters of the Third Kind*. The lecture that I'm most looking forward to, though, is March 5th's "Magic, Hypnosis and the Brain," to be delivered by a

McGill psychiatry professor. All of the lectures take place in the Redpath Museum auditorium at 5:00 pm. The auditorium is fairly small, so if you really want to see a talk, show up a few minutes early.

2) Love and Sex Week (LSW): Running from Monday February 8th to Friday February 12th (Don't worry, you can go to the UFO lecture and still make the PGSS singles party that evening) the PGSS LSW includes a surprisingly creative bundle of events that revolve around amorous or carnal themes. Highlights include:

- Speed dating (Monday, Thompson House basement, Straight ed. at 5:30 pm, Queer ed. at 8:30 pm): Always a popular event, speed dating requires a nominal fee of \$2 but you must register in advance at Thompson House room 401.

- Dirty Minds Trivia (Wednesday, Thompson House Ballroom, 9 pm): Fairly self-explanatory... trivia about dirty topics. Speaking of trivia and speed dating – did you know that speed dating was invented by a California rabbi?

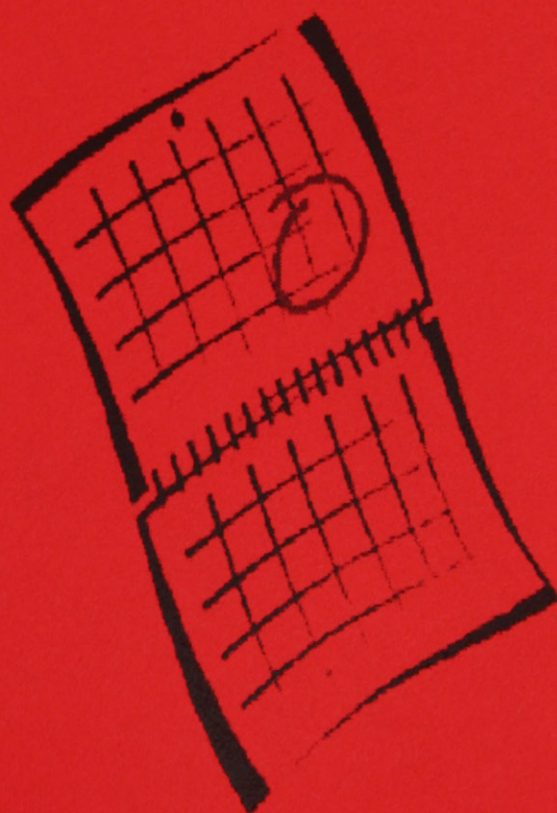
- Massage Workshop (Thursday, Thompson House Ballroom, 6:30 pm): Details are sparse on this one, so I'd bring a partner whose back you don't mind rubbing, just in case there's a test at the end.

- Singles Party (Friday, Thompson House Ballroom 9 pm): Again I'm not sure how much explanation this really needs!

Other events (and I'm leaving out several!) can be found at [pgss.mcgill.ca](http://pgss.mcgill.ca).

3) McGill Faculty of Music Recitals: As you may have guessed, our music faculty puts on a wide variety of recitals, concerts and other musical events. What you may not know is that they occur literally every other day or so. Some are doctoral or masters recitals, others are performances by McGill student choirs, bands and ensembles, and of course, some are performances by professional musicians. Most of these events (recitals, class ensembles playing final exams) are free. Concert tickets are priced in the 10-12\$ range. Schedules can be found at:

<http://www.mcgill.ca/music/events/concerts/>.



*continued from p.2*

ever, and their daunting 3.5 to 4 year commitment, are not immune. After inquiring with the Undergraduate Student Admissions Office, for instance, I learnt that in 2004, mature students made up 5% of the applicant pool. In 2009, however, that number surged to 17%.

This recession, however, is not like past recessions in Canada. One of the key differentiating factors is that most institutions have implemented different revenue structures since the last recession hit this country 22 years ago. In the past, universities relied much more heavily on public funding: when public finances were tight, institutional finances were also tight. It can be argued, consequently, that when a program like McGill MBA increases its tuition fees from \$1500 a year to \$29 500 a year, it will be able to ride out future recessions more easily. Other faculties at McGill, however, won't be so lucky. Usher and Dunn explain in their report, "On the Brink: How the Recession of 2009 Will Affect Post-Secondary Education," that this recession will have a double-whammy effect on institutional income and the effect will occur in two phases:

We are currently in the first phase, where the effects are primarily due to losses in endowment income. In the second phase, which will begin in 2011 or 2012, we will see the more traditional pattern of government kickbacks.

Regarding the passage cited above, it is worth noting that most universities do not have the luxury of transferring a significant amount of endowment income to their operating budget. McGill is no exception. The researchers note that typically 20% of endowment income is available to spend on an unrestricted basis. For larger, more research-intensive universities like McGill, a decrease in endowment revenue will undoubtedly impact the university's annual operating budget. It is also worth noting that when it comes to financing our institutions, Canada has a major advantage over the United States: American states have constitutional obligations to present balanced

budgets. Canadian provinces have no such obligation. In the States, a recession is typically synonymous with cutbacks to institutional financing. In Canada, governments generally like to wait out a recession before reaching for their scissors.

What I am trying to get across here is the following: it is hard to *be* a student. I don't think anyone particularly enjoyed Friday, January 16th 2010 (maybe some enjoyed their results, but I don't think anyone enjoyed the wait). I don't think anyone will enjoy course aux stages (the potential opportunities, yes, the process, no). It is also becoming harder, however, to *become* a student. We cannot deny that we are all privileged members of an elite student community. In fact, whenever anyone feels particularly close to throwing in the towel (for life without law seems a hell of a lot easier), I recommend reminding yourself that you are lucky to be here and that, as my PhD friend says, "it is a helluva' time to be a student."

1. Alex Usher & Ryan Dawn, *On the Brink: How the Recession Will Affect Post-Secondary education* (Toronto: Educational Policy Institute, 2009) at 13.
2. *Ibid.* at 14.
3. *Ibid.*

